

## UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America )

v. )

Carlos Cabral )

Case No: 04cr40012USM No: 80428-038Date of Previous Judgment: 07/05/2005 )Raymond O'Hara

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 70 months **is reduced to** 57.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 27Amended Offense Level: 25Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 70 to 87 monthsAmended Guideline Range: 57 to 71 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 07/05/2005 shall remain in effect.

**IT IS SO ORDERED.**Order Date: 07/25/2008/s/ F. Dennis Saylor IV

Judge's signature

Effective Date: 07/25/2008  
(if different from order date)

F. Dennis Saylor IV

Printed name and title